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**REMARKS**

2       Claims 1-38 remain in the application for consideration. In view of the  
3 following remarks, Applicant respectfully requests reconsideration on the merits  
4 of the claims and that the application be forwarded on to issuance.

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**Attempts at Telephonic Communication**

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7       The Applicant attempted to contact the Examiner by telephone and left  
8 voice mail messages pursuant thereto on June 27, 2006, and again on July 12,  
9 2006. It is believed that the Examiner attempted to return telephone  
10 communication corresponding to the above-cited messages on at least three  
11 separate occasions, but direct communication with the Applicant was not  
12 successfully established. The Applicant was then hopeful that communication  
13 with the Examiner could be had and, if possible, an agreement reached as to  
14 allowable matter in the pending Application.

15       In any case, the Applicant believes the pending claims to be in good  
16 standing for successful Appeal to the Board for at least the reasons argued below.  
17 However, in the interest of procedural efficiency and in the spirit of cooperation,  
18 the Applicant still desires to discuss the merits of this case with the Examiner so  
19 that the Appellate process can be avoided, if possible. Thus, a telephonic  
20 interview is still desired by the Applicant at the Examiner's earliest convenience,  
21 by way of the contact information provided below.

### § 103 Rejections

Claims 1-38 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,128,655 (“Fields”), in view of U.S. Patent No. 6,247,032 (“Bernardo”).

## The Claims

**Claim 1** recites a computer executable method comprising (emphasis added):

- retrieving content from a plurality of content providers, wherein the retrieved content is to be displayed in at least one Web page;
- verifying a format of the retrieved content by comparing a data structure of the retrieved content with a data structure defined in a schema file;
- rejecting particular content if the particular content format is not valid; and
- if the particular content is valid:
  - scheduling the particular content to be displayed at a scheduled time; and
  - displaying the particular content at the scheduled time, the particular content being displayed by a Web server.

In making out the rejection of this claim, the Office argues that its subject matter is obvious over Fields in view of Bernardo. Applicant respectfully disagrees and submits that the Office has failed to establish a *prima facie* case of obviousness with respect to this claim for at least the reasons discussed below.

The combination of Fields and Bernardo fails to teach all of this claim's recited features. Specifically, neither reference discloses or suggests the features of scheduling the particular content to be displayed at a scheduled time and displaying the particular content at the scheduled time, the particular content

1 being displayed by a Web server. More specifically, Fields fails to teach or  
2 suggest scheduling of any kind, and not with respect to content for display by a  
3 web server. The Office has rightly acknowledged this deficiency on the part of  
4 Fields (Page 3 of Final Office action).

5 However, the Office wrongly asserts that Bernardo provides for such  
6 scheduling in so much as Bernardo teaches a Web site content approval process,  
7 said approval subject to time limits – referred to by Bernardo as an approval  
8 interval (Col. 10, line 55 of Bernardo). Respectfully, neither a time limit nor an  
9 approval interval is the same as scheduling in any context, and certainly not as  
10 that term is used in the pending Application and corresponding claims. In order to  
11 understand this distinction, attention is directed to the text appearing at page 3,  
12 line 23 to page 4, line 3 of the Application, where it is provided that:

13  
14 “The system retrieves new content from the multiple content providers that  
15 have new content to retrieve. The retrieved content is stored in a central  
16 database and scheduled to be displayed on a Web page ***at a particular time***.  
17 The particular time is based on an attribute associated with the retrieved  
18 content. The retrieved content is then displayed on the Web page ***at the***  
19 ***particular time***.” (Emphasis added).

20 Thus, scheduling in the context of the pending Application refers to  
21 specific, predefined times for the provision of new content from a content provider  
22 to a web page for display.

23 Under Bernardo, a time limit or approval interval refers to a *maximum*  
24 acceptable amount of time that may be spent reviewing, editing and/or approving  
25 new content before that content is to be displayed, if at all, on a host web site (Col  
10, lines 54-57 of Bernardo). This is because Bernardo is concerned with getting

1 new content created, edited and/or approved and displayed on a host web site in a  
2 timely manner (see Col. 1, lines 41-61 of Bernardo).

3 For example, under Bernardo, if an agent is allocated a one hour time limit  
4 for the review and approval of certain new material, and that agent accomplishes  
5 the approval task in only twenty minutes, so much the better. Bernardo expresses  
6 no requirement that such newly-approved material be delayed an additional forty  
7 minutes just to "eat up" the one hour allocation before that content is moved on to  
8 the next step in the sequence – which may be the display thereof via the host web  
9 site. In short, Bernardo is not concerned with *scheduling* the display of web site  
10 content at a particular time, as is the case in the subject matter recited by claim 1.  
11 Rather, Bernardo is concerned with performing the entire new content creation,  
12 editing and/or approval process as expeditiously as possible.

13 No possible combination of Fields and Bernardo teaches or suggests all of  
14 the required features so as to arrive at the subject matter of claim 1, as no possible  
15 combination of Fields and Bernardo teaches or suggests scheduling the  
16 particular content to be displayed at a scheduled time and displaying the  
17 particular content at the scheduled time, as positively recited by the subject  
18 matter of this claim. Thus, the § 103 rejection of claim 1 is invalid and must be  
19 withdrawn.

20 **Claims 2-11** depend from claim 1 and are allowable as depending from an  
21 allowable base claim. These claims are also allowable for their own recited  
22 features which, in combination with those recited in claim 1, are neither disclosed  
23 nor suggested by the reference of record.

24 **Claim 12** recites a computer executable method comprising:  
25

- identifying a plurality of content providers;
- determining whether each of the plurality of content providers has any new content to retrieve;
- retrieving new content from the plurality of content providers that have new content to retrieve;
- storing the retrieved content in a central database;
- scheduling the retrieved content to be displayed on a Web page at a scheduled time, wherein the scheduled time is based on an attribute associated with the retrieved content; and
- displaying the retrieved content on the Web page at the scheduled time.

For at least reasons substantially analogous to those argued above in regard to claim 1, the Office has failed to establish a *prima facie* case of obviousness with respect to claim 12. Thus, this claim is allowable.

**Claims 13-19** depend from claim 12 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 12, are neither disclosed nor suggested by the reference of record.

**Claim 20** recites a computer executable method comprising:

- identifying a plurality of content providers;
- identifying a storage location associated with each of the content providers;
- retrieving a file from each storage location, wherein the file identifies any new content to retrieve from the storage location;
- if the file identifies new content to retrieve from the storage location:
  - retrieving the new content;
  - storing the retrieved content in a central database;
  - scheduling the retrieved content to be displayed at a first scheduled time, wherein the first scheduled time is based on a first attribute associated with the retrieved content; and
  - scheduling the retrieved content to be removed at a second scheduled time based on a second attribute associated with the retrieved content.

1  
2 For at least reasons substantially analogous to those argued above in regard  
3 to claim 1, the Office has failed to establish a *prima facie* case of obviousness with  
4 respect to claim 20. Thus, this claim is allowable.

5 **Claims 21-24** depend from claim 20 and are allowable as depending from  
6 an allowable base claim. These claims are also allowable for their own recited  
7 features which, in combination with those recited in claim 20, are neither disclosed  
8 nor suggested by the reference of record.

9 **Claim 25** recites a content server comprising:

- 10 • a content collector configured to retrieve content from a plurality of  
11 content providers;
- 12 • a content verification tool coupled to the content collector, the  
13 content verification tool configured to verify content retrieved from  
the plurality of content providers; and
- 14 • a content scheduler coupled to the content collector, the content  
scheduler configured to schedule the received content for display  
and further to schedule the received content for removal.

16 As made evident above, this claim recites a ***content scheduler*** configured  
17 to ***schedule*** the display and removal of received content. Thus, this claim recites  
18 means and capabilities of those means that are consistent with ***scheduling*** in the  
19 context of the pending Application. As no combination of Fields and Bernardo  
20 teaches or suggests ***scheduling of received content*** as in the present context, the  
21 Office has failed to establish a *prima facie* case of obviousness with respect to  
22 claim 25. Thus, this claim is allowable.

23 **Claims 26-30** depend from claim 25 and are allowable as depending from  
24 an allowable base claim. These claims are also allowable for their own recited  
25

1 features which, in combination with those recited in claim 25, are neither disclosed  
2 nor suggested by the reference of record.

3 **Claim 31** recites a content processing system comprising:

4

- 5 • a content server configured to retrieve Web-based content from a  
6 plurality of Web content providers, wherein the content is defined in  
7 an extensible markup language (XML) file;
- 8 • a database coupled to the content server, the database configured to  
9 store content retrieved from the plurality of content providers; and
- 10 • a Web server coupled to the content server, the Web server including  
11 a content structure definition file that defines a proper format for the  
12 content, wherein the Web server is configured to maintain a plurality  
13 of Web pages that are generated using content stored in the database,  
14 and wherein each of the plurality of Web pages is displayed during a  
15 scheduled time period associated with content contained in each  
Web page.

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13 For at least reasons substantially analogous to those argued above in regard  
14 to claims 1, the Office has failed to establish a *prima facie* case of obviousness  
15 with respect to claim 31. Thus, this claim is allowable.

16 **Claims 32-33** depend from claim 31 and are allowable as depending from  
17 an allowable base claim. These claims are also allowable for their own recited  
18 features which, in combination with those recited in claim 31, are neither disclosed  
19 nor suggested by the reference of record.

20 **Claim 34** recites one or more computer-readable media having at least one  
21 physical media, the computer-readable media having stored thereon a computer  
22 program that, when executed by one or more processors, causes the one or more  
23 processors to:

24

- 25 • retrieve content from a plurality of content providers, the retrieved  
content to be displayed in a Web page;

1           • schedule the retrieved content to be displayed in the Web page at a  
2            first scheduled time based on a first attribute associated with the  
3            retrieved content; and  
4           • schedule the retrieved content to be removed from the Web page at a  
5            second scheduled time based on a second attribute associated with  
6            the retrieved content.

7           For at least reasons substantially analogous to those argued above in regard  
8           to claim 1, the Office has failed to establish a *prima facie* case of obviousness with  
9           respect to claim 34. Thus, this claim is allowable.

10           **Claims 35-38** depend from claim 34 and are allowable as depending from  
11           an allowable base claim. These claims are also allowable for their own recited  
12           features which, in combination with those recited in claim 34, are neither disclosed  
13           nor suggested by the reference of record.

14           **Conclusion**

15           All of the claims are in condition for allowance. Accordingly, Applicant  
16           respectfully requests reconsideration on the merits of the pending claim 1-38, and  
17           the issuance of a Notice of Allowability. Applicant reiterates its respectful request  
18           for a telephonic interview with the Examiner for the purpose of coming to an  
19           agreement as to allowable subject matter in this Application.

20           Respectfully Submitted,

21           Dated: 8/15/06

22           By:

23             
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